

HEADQUARTERS  
UNITED STATES EUROPEAN COMMAND  
UNIT 30400, BOX 1000  
APO 09128-4209

DIRECTIVE  
NUMBER 80-1

6 January 2001

**ENVIRONMENTAL SECURITY**

Environmental Policies, Procedures, and Responsibilities

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1. **Summary.** This Directive prescribes policy and responsibilities for meeting environmental security requirements associated with environmental compliance, conservation, pollution prevention and environmental security outreach activities within United States European Command (USEUCOM). The directive specifies procedures and implements applicable federal statutes, Executive Orders, DoD regulations, and other legal requirements for the protection of human health and the environment. Environmental security program elements for safety, occupational health, explosive safety, fire and emergency services, pest management, environmental security technologies are excluded from this directive. Remediation guidance is provided in EUCOM Directive 80-2. Operational forces deployed off U.S. installations will comply with the requirements of environmental annexes in appropriate deployment operation plans and orders.
  2. **Applicability.** The provisions of this directive apply to all Department of Defense (DoD) military service component forces and DoD agencies operating within the geographic area assigned to USEUCOM by the Unified Command Plan.
  3. **Internal Control Systems.** Internal Management Controls are applicable to this Directive. These controls shall focus on program performance and the economy and efficiency of operations. USEUCOM forces will comply with established Service guidelines.
  4. **Suggested Improvements.** Any recommendations, comments, or questions for improvements to this Directive or clarification of requirements within this Directive shall be directed to HQ USEUCOM, Logistics and Security Assistance Directorate (ECJ4), Engineer Division (ECJ4-EN), Unit 30400, APO AE 09128.
  5. **References.**

- a. Executive Order 12114, Environmental Effects Abroad of Major Federal Actions, 4 Jan 79

- b. Executive Order 12088, Federal Compliance with Pollution Control Standards, 13 Oct 78
- c. DoD Directive 4715.1, Environmental Security, 24 Feb 96
- d. DoD Instruction 4715.4, Pollution Prevention, Jun 18, 96
- e. DoD Instruction 4715.5, Management of Environmental Compliance at Overseas Installations, 22 Apr 96
- f. DoD Directive 6050.7, Environmental Effects Abroad of Major Department of Defense Actions, 31 Mar 79
- g. DoD 4715.5-G, Overseas Environmental Baseline Guidance Document, 15 Mar 00
- h. EUCOM Directive 80-2, Environmental Security: Environmental Executive Agent Remediation Policy, 23 Aug 99
- i. CJCSM 2122.02A JOPES Vol II, Planning Formats and Guidance, 31 Dec 99

6. **Explanation of Terms.**

a. Applicable Host Nation Environmental Standards. The specific management practices to control pollution or the objective, numeric or qualitative pollution control standards that are generally in effect and enforced against host-government and private sector activities in the host nation (HN). Laws of local government units are not included unless they implement national laws that delegate authority to, or recognize the authority of the local government unit. HN limitations on discharges, emissions, effluents, and disposal are included, but except where required by international agreement, procedural or administrative requirements, such as permitting, licenses, fees, fines, penalties, or other sanctions, are not.

b. Compliance. Compliance is meeting applicable U.S. (or HN) statutory, Executive Order, or regulatory standards for all environmental security functions, including Final Governing Standards (FGS) or the Overseas Environmental Baseline Guidance Document (OEBGD), as appropriate.

c. Conservation. Conservation is planned management, use, and protection; continued benefit for present and future generations; and prevention of exploitation, destruction, and/or neglect of natural and cultural resources.

d. Environment. Air, water, land, man-made structures, all organisms living therein, the interrelationships that exist among them, and archeological and cultural resources.

e. Environmental Executive Agents (EEAs). The DoD Component, combatant commander, or an appropriate Component or subunified commander designated by the Deputy Under Secretary of Defense for Environmental Security ((DUSD (ES)) as the DoD Executive Agent for environmental issues in a particular host country. Each designated DoD EEA is responsible for developing, updating and maintaining the FGS applicable to all DoD Components operating in a particular HN, consulting with HN authorities on environmental issues, monitoring and keeping DoD Components informed of regulatory development and trends, and resolving requests for waivers and other issues from the DoD Components.

f. Environmental Security. A program that enhances readiness by institutionalizing the Department of Defense's environmental, safety and occupational health awareness, making it an integral part of USEUCOM's daily activities. Environmental Security is comprised of restoration, compliance, conservation, pollution prevention, safety, occupational health, explosive safety, fire and emergency services, pest management, environmental security technology, and international environmental security outreach activities.

g. Final Governing Standards (FGS). A comprehensive set of country-specific substantive provisions, typically technical limitations on effluent, discharges, etc., or a specific management practice, which normally apply to all DoD installations located in a specific HN.

h. Host Nation (HN). A nation that receives the forces or supplies of a nation(s), allied nation(s) or NATO organization(s) to be located on, to operate in, or to transit through its territory.

i. International Environmental Security Outreach Activities. International environmental security outreach activities are bilateral or multinational agreements, information exchanges, cooperative agreements, and specific actions, which bring DoD resources to bear on international military-related environmental matters within USEUCOM.

j. Off-installation operational deployments. Off-installation operational deployments are hostilities, contingency operations, and activities when U.S. Forces are acting as part of a multinational force not under the full control of the U.S. Support functions for U.S. vessels and U.S. military aircraft provided by DoD Components, including management or disposal of off-loaded waste or materials are generally not considered as off-installation operationally deployed.

k. Overseas Environmental Baseline Guidance Document (OEBGD). A set of objective criteria and management practices developed by the Department of Defense (see reference 5g) to protect human health and the environment. The OEBGD also contains procedures for a particular geographic area or to provide standards for environmental compliance where no FGS have been established. OEBGD may be used for planning the operations of U.S. military vessels, U.S. military aircraft, and off-installation operational or training deployments, although it is not required for these activities.

1. Pollution Prevention. Pollution prevention is source reduction and other practices that reduce or eliminate the creation of pollutants through increased efficiency in the use of raw materials, energy, water, or other resources; or protection of natural resources by conservation.

## **7. Policies and Procedures.**

a. USEUCOM Forces shall:

(1) Display environmental leadership in all operations and activities in a manner consistent with DoD mission accomplishment and U. S. security interests to protect, conserve, and enhance the quality of the environment, and to prevent pollution or minimize adverse environmental consequences.

(2) Consistent with available funding, comply with applicable international agreements, U.S. environmental laws, Executive Orders, directives, and regulations which apply to overseas areas, and HN environmental laws which are referenced.

(3) Dispose of all materials considered hazardous under either U.S. law or applicable HN standards in a manner that complies with the OEBGD, or FGS, or operational plans as appropriate, and in accordance with any applicable international agreements.

(4) Ensure hazardous wastes are properly disposed of through or with the concurrence of the Defense Reutilization and Marketing Service International (DRMSI).

(5) Reduce the use of hazardous materials, the generation or release of pollutants, and the adverse effects on human health and the environment caused by DoD activities.

(6) Respect and protect historic and cultural sites, structures, objects, pale ontological and archeological areas, as well as nature parks, preserves, or portions thereof.

(7) Cooperate with and involve appropriate host nation officials in implementation of environmental security programs outside the U.S. consistent with U.S. defense and policy interests

(8) Integrate environmental compliance, conservation, and pollution prevention activities into acquisition, procurement, and repair processes for systems, equipment, facilities and land.

(9) Promote pollution prevention as the preferred means for attaining compliance where economically advantageous and consistent with mission requirements.

b. To ensure uniform standards and a coordinated position by U.S. Forces with respect to each HN's environmental laws and regulations, any non-routine contact with HN authorities concerning environmental activity must be coordinated through the respective Component command to the designated EEA (see Appendix A) with information copies to HQ USEUCOM

## 8. **Responsibilities.**

a. USCINCEUR shall:

(1) Implement and oversee provisions of DoD directives concerning environmental compliance, conservation, and pollution prevention for unified combatant command directed activities.

(2) Coordinate and approve implementation of this directive by the EEA within the EUCOM AOR, as necessary to carry out their mission as outlined in DoDD 4715.1.

(3) Approve the FGS rewrites where promulgated within the EUCOM AOR. Revisions are approved by HQ USEUCOM.

(4) Sponsor periodic (bi-annual) environmental conferences to promote coordination between component commanders in environmental matters.

(5) Establish an environmental principal's working group (EPWG) consisting of principals from the service components commands and DRMSI to provide consistent interpretation and implementation of DoD and HQ USEUCOM environmental directives and to promote Component coordination on key environmental matters of interest within the theater. Establish supporting sub-groups (e.g. compliance; remediation; operations; and training) as deemed necessary by the environmental principals working group. HQ USEUCOM will schedule and chair regular meetings of the environmental principals working group.

(6) Facilitate incorporation of environmental security outreach activities into the theatre engagement plan to the extent that resources are available.

(7) Develop environmental annexes to operational plans and orders that incorporate, as applicable, the requirements of international agreements, and other DoD directives during off-installation operational deployments.

(8) Comply with the designated HQ USEUCOM EEA responsibilities as outlined in Appendix A.

(9) Resolve waiver disputes between the DoD EEA and DoD Component(s) as outlined in Appendix B.

b. Service Components and DRMSI activities shall:

(1) Comply with environmental FGS as established by the applicable EEA. In geographic areas for which another Component is designated as EEA, coordinate with the designated EEA all non-routine actions with the host nations concerning environmental protection and enhancement.

(2) Establish and conduct a program of regular assessments of environmental compliance with applicable environmental standards. Assessment periods shall be no less than annually for internal self-assessments, and at least once every three years for external self-assessments at all major installations. Internal self-assessments shall not be required in years that an external assessment is performed.

(3) Prepare environmental documentation (e.g. Environmental Baseline Surveys, plans, and orders) as prescribed by DoD and Component Service department regulation or regulation, or operation orders when designated as primary Component on a unified combatant command-command directed exercise or operation. The document will then be forwarded through HQ USEUCOM to JCS in accordance with DoD directives.

(4) Comply with the EEA environmental responsibilities as outlined in Appendix A.

(5) Comply with waiver procedures as outlined in Appendix B.

(6) Plan, program, and budget resources to satisfy program needs; establish program policies and goals; monitor compliance activities; and implement environmental enhancement programs and activities.

(7) On an annual basis, provide HQ USEUCOM/ECJ4-EN a review on status of environmental programs and initiatives.

(8) Report any significant environmental items, which would have significant and immediate theater-wide interest.

(9) Provide appropriate representatives to attend and provide support to HQ USEUCOM in hosting/conducting meetings of the environmental principals working group. Meetings will be held semi-annually or when called by HQ USEUCOM.

(10) Provide appropriate representatives to attend and provide support to HQ USEUCOM in hosting/conducting meetings of the environmental sub-groups.

(11) Comply with established waiver procedures as outlined in Appendix B.

(12) Chairmanship of the subgroups will be under the authority of the environmental principals working group, and will be rotated between the service Components every two years.

FOR THE COMMANDER IN CHIEF:

OFFICIAL:

DANIEL J. PETROSKY  
Lieutenant General, USA  
Chief of Staff

DAVID R. ELLIS  
LTC, USA  
Adjutant General

APPENDIXES:

A – Environmental Executive Agents

B - EUCOM Executive Agents' FGS Waiver Policy

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## Appendix A

**Environmental Executive Agents**

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1. **Purpose.** To identify designated Environmental Executive Agents (EEAs) and prescribe policies and responsibilities for environmental matters for each geographic area of responsibility IAW DoDI 4715.5.

2. **Host Nation EEAs within the EUCOM AOR.**

- a. CGUSAREUR: Belgium, Germany, and The Netherlands.
- b. CINCUSNAVEUR: Greece, Italy, and Spain.
- c. COMUSAFE: Turkey, and the United Kingdom.
- d. HQ USEUCOM is the responsible EEA where one has not otherwise been designated by directive or operational guidance.

3. **Policies and Procedures.**

- a. HQ USEUCOM shall:
  - (1) Oversee the implementation of DoD Instruction 4715.5.
  - (2) Direct Component commands to implement and comply with FGS, as established by the appropriate EEA.
  - (3) Establish and serve as chairperson of the environmental principals working group consisting of principals from the service developing and implementing the FGS for each country within USEUCOM area of responsibility.
  - (4) Ensure Component commands implement and conduct a follow-on assessment process.
  - (5) Resolve disputes between Components and the appropriate EEA during the development, revision, and implementation of the FGS.
  - (6) Facilitate resolution during request for waivers and deviations of the FGS.
  - (7) Ensure periodic review of FGS by appropriate EEAs.
  - (8) Facilitate information exchange among EEAs.

(9) Advocate to the senior leadership elements environmental policy requirements related to DoD Instruction 4715.5, to include but not limited to resource / funding requirements and revisions to the OEBGD.

b. EEAs shall:

(1) Implement the provisions of DoD Instruction 4715.5.

(2) Issue the FGS after consultation with the appropriate in country or theater representatives of other DoD Components operating in the country, approval of the Unified Combatant Command, and notification of the United States Diplomatic Mission.

(3) Designate a primary and alternate Point of Contact for EEA responsibilities.

(4) Proactively monitor environmental regulatory developments in their areas of responsibility.

(5) Respond to inquiries from HQEUCOM or environmental principals regarding issues within their areas of responsibilities within 90 days.

(6) Upon learning of a relevant new HN environmental requirement, provide guidance to USEUCOM environmental principals about the applicability and impact of the new requirement to U.S. Forces. If appropriate, issue a revision to the FGS in coordination with HQ USECOM. Guidance to the environmental principals shall be provided as soon as practicable. FGS revisions about a new applicable HN Law shall be made in accordance with DoDI 4715.5 and this directive.

(7) Revalidate and update the FGS on a periodic basis, not less than every two years.

(8) Grant waivers.

## Appendix B

**EUCOM Executive Agents' FGS Waiver Policy**

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**1. References.**

- a. Executive Order 12088, Federal Compliance with Pollution Control Standards, 13 Oct 78
- b. DoD Instruction 4715.5, (Management of Environmental Compliance at Overseas Installations, 22 Apr 96
- c. DoD 4715.5-G, Overseas Environmental Baseline Guidance Document, 15 Mar 00

**2. Background.**

a. All DoD Components, to include tenant agencies, are required to comply with FGS. It is recognized that there may be cases when compliance with FGS is not feasible or achievable. Accordingly, a DoD installation or activity will be either: 1) in compliance with FGS; 2) out of compliance with FGS, but working toward compliance; or 3) authorized to not comply with FGS (Waiver).

b. This appendix implements subsection F6 of reference 'b' and establishes the policy for requesting a waiver from compliance with FGS requirements. It also prescribes procedures for requesting such waivers from the appropriately designated EEA. Only the EEA has the authority to grant a waiver.

**3. Policy.**

a. All DoD Components shall comply with FGS, which are effective immediately upon promulgation by the appropriate EEA. A waiver may be requested if compliance with FGS would seriously impair operations; adversely affect HN relations; require substantial expenditure of funds not available for such purpose (i.e., for physical improvements at an installation that has been identified for closure or has been identified for a realignment that will remove the requirement). A waiver may not be granted to standards if noncompliance would constitute a breach of an applicable international agreement or a U.S. law that applies overseas.

b. It is recognized that DoD facilities/activities may not be able to comply with FGS upon their effective date. During the "transition period" (during which compliance with specific FGS must be identified and programmed), DoD Components need not submit a request for a waiver.

Accordingly, waivers are not required for projects which are “in progress”; projects which have been submitted for and are subject to Congressional funding approval (e.g., military construction projects) or projects specifically denied by Congress; and projects which have been programmed within budget guidance.

#### **4. Procedures for Waivers.**

a. DoD Components and installation commanders initiate a request for waiver and submit it through their chain of command to their major command headquarters (i.e., HQ USAREUR/7 A, HQ USAFE, or HQ USNAVEUR). If the major command headquarters supports the request, the environmental principal at the major command headquarters will forward it (along with all supporting documentation) to the EEA at the appropriate major command that will decide the request.

b. The DoD Component requesting a waiver is responsible for developing and preparing all necessary documentation to support the waiver. The waiver request shall be prepared by the activity seeking the waiver or the agency, which is otherwise responsible for the operation or facility in noncompliance with FGS.

c. Where the non-compliant activity seeking a waiver is that of a tenant agency (not funded by or under the command of the in-country “landlord” commander), the parent organization of the agency or unit shall be a “co-requestor” of the waiver. The parent organization must provide written agreement/support for the waiver and concur with all conditions of the waiver request (i.e., future year funding support). The tenant organization must prepare all documentation to support the waiver.

d. All research, coordination and documentation efforts for waiver requests are the responsibility of the requesting Component.

e. Upon receipt of a request for a waiver, the EEA shall act in a manner consistent with the requirements of DoDI 4715.5.

f. The appropriate EEA shall review the request for waiver, consult with the requesting Component, the relevant USEUCOM Theater Components, and EUCOM before making a decision about the request and make a determination regarding approval/disapproval of the waiver. Where the waiver or deviation is from a HN standard, coordination with HN authorities may be appropriate also. Sufficient lead-time required for review, coordination and recommendation, and comment of waiver is necessary. However, the EEA shall generally provide a response through Component command channels to the requester within 90 days.

g. The EEA may grant or deny the request for waiver in whole, in part, or upon conditions. Pending action by the EEA, CINCUSEUR may, consistent with applicable international agreements and other law, authorize temporary emergency waivers and deviations if such a waiver or deviation is essential to accomplishment of an operational mission directed by the National Command Authorities (President and SECDEF).

h. If the requester's component does not agree with the EEA's decision ruling, the component can forward to HQ USEUCOM to resolve the dispute. HQ USEUCOM will consult with the EEA and then issue a decision. If the component still disagrees with the resolution of the dispute, the Component's senior environmental policy principal may refer the matter to the DUSD(ES) for final determination after notice to the Joint Chiefs of Staff.

i. Where the EEA disapproves the waiver or deviation from applicable host nation standards as a result of consultation with host nation authorities, the Component that requested or supported the waiver may forward the request along with a complete report to the DUSD(ES), who will attempt to resolve the issue through consultation with relevant authorities and other federal agencies, as appropriate. In this narrow case, there is no requirement to seek USEUCOM review of the EEA's decision.

j. Where the DoD Component or Defense Agency requesting the waiver is the EEA for the country the waiver concerns, the waiver will be referred to USEUCOM for decision.

k. EEA's will maintain a written record of the decision they make on each waiver request they receive.

## **5. Documentation Required for Waivers.**

a. The requesting Component headquarters shall forward a request for a waiver to the appropriate EEA via a cover Memorandum. The cover memorandum shall include a brief discussion of the need for the waiver, the request time period/length of the waiver, and any other salient factors related to the request.

b. All memoranda requesting waivers shall be supported by the requisite documentation as enclosures. As a minimum, the information will be provided as required by Paragraphs F.6.a.1 to F.6.a.4 to the EEA.